

Thank you for the opportunity to comment on Senate Bill 783. As introduced, the bill would amend the Michigan Medical Marihuana Act to prohibit the cultivation, possession or smoking of medical marijuana on private property, in violation of a prohibition established by the property owner. The bill would also further clarify that smoking medical marijuana is prohibited in any portion of private property open to the public.

At this time, the Cannabis Stakeholders Group cannot support Senate Bill 783.

Although CSG is not opposed to clarifying that a property owner may prohibit renters or lessees from cultivating medical marijuana on rented or leased property, we have several concerns about the other provisions.

First, CSG does not support allowing private property owners the ability to prohibit simple possession of medical marijuana on private property. This means that a place of business could prohibit a customer from simply entering the premises if they have medical marijuana in their possession, even if they are not engaging in the medical use of it at that time. Additionally, if House Bill 5104 were to be enacted, this change would allow private property owners to prohibit individuals from possessing non-smokable forms of medical marijuana on their property. For example, if a landlord prohibited medical marijuana possession in their public areas of an apartment complex, how would a patient legally transport marijuana to their private residence within that complex?

Additionally, we cannot support efforts to prohibit legally smoking medical marijuana in a rented or leased private residence at this time. Recent Court rulings and Attorney General opinions have slowly eroded protections and safe access to medical marijuana for qualified patients under the Michigan Medical Marihuana Act. For example, under *Caruthers*, the COA found that the MMMA limited medical use of marijuana to only smokable forms of medical marijuana. As a result, patients today cannot legally use non-smokable forms of medical marijuana, such as extracts, tinctures and edibles. This means that if SB 783 passes without passage of legislation to permit non-smokable forms of medical marijuana (HB 5104), a bedridden patient residing in a rental home where the landlord has prohibited occupants from smoking medical marijuana has no safe alternative. Furthermore, the courts have significantly limited the ability of patients to use medical marijuana outside of their own home.

Because of these reasons, we are unable to support SB 783 at this time. We respectfully ask that a vote on SB 783 be delayed until such time the HB 4271 and HB 5104 are reported from the Senate Government Operations Committee so that the full-Senate can consider all three bills at the same time.